

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

v.

GUSTAVO NAVARO et al.,

Defendants.

Case No. 2:15-cr-0180-RFB

ORDER

Before the Court are Defendants' Motion(s) to Vacate. ECF Nos. 72 and 74. In their motions, Defendants argue that their convictions should vacated because their crime of conviction, aiding and abetting carjacking, does not qualify as a crime of violence in light of United States v. Davis, 139 S.Ct. 2319 (2019). The Court rejects Defendants' argument and denies their motions. The Court finds that the Defendants' argument is and has been foreclosed by controlling Ninth Circuit precedent in Young v. United States, 22 F.4th 1115 (9th Cir. 2022).

For the reasons stated,

IT IS ORDERED that the Motions to Vacate [ECF Nos. 72 and 74] are DENIED.

IT IS FURTHER ORDERED that the Motion for Leave [ECF No. 103] is GRANTED.

DATED: May 22, 2023.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE